

Message Text

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APPROVED BY NEA - MR. SAUNDERS

L/NEA - MR. NELSON

S/S - MR. MOFFAT

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FM SECSTATE WASHDC

TO AMEMBASSY BEIRUT

S E C R E T STATE 249262

EXDIS

E.O. 11652: GDS

TAGS:ASEC, IZ

SUBJECT: HARASSMENT OF LOCAL EMPLOYEE

BEIRUT PASS BAGHDAD FOR ACTION

BEIRUT FOR RSO

1. PURSUANT YOUR SUGGESTION DEPARTMENT PLANNING CALL IN
MANSOUR AND GIVE HIM FOLLOWING PIECE OF PAPER RE GOI HAR-
ASSMENT OF SOUSA:

QUOTE

IT WILL BE RECALLED THAT ON SEPTEMBER 14, 1973, THE
DEPARTMENT OF STATE RAISED WITH THE IRAQI INTERESTS SECTION
THE PROBLEM OF HARASSMENT, DETENTION AND INTERROGATION
BY AGENCIES OF THE GOVERNMENT OF IRAQ OF MR. ABBAS SOUSA,
DRIVER FOR THE PRINCIPAL OFFICER OF THE UNITED STATES
INTERESTS SECTION IN BAGHDAD.

THE DEPARTMENT OF STATE HAS LEARNED THAT REPEATED INCI-
DENTS OF HARASSMENT OF MR. SOUSA HAVE RECENTLY AGAIN TAKEN
PLACE. SPECIFICALLY, ON OCTOBER 2, 1974 MR. SOUSA WAS
QUESTIONED AND PHYSICALLY ABUSED BY AGENTS OF THE GOVERN-
MENT OF IRAQ; SUBSEQUENTLY HE HAS RECEIVED THREATS UPON HIS

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LIFE AND THAT OF HIS FAMILY. THIS HARASSMENT APPEARS TO BE

DIRECTLY RELATED TO MR. SOUSA'S EMPLOYMENT BY THE UNITED STATES INTERESTS SECTION IN BAGHDAD.

THE DEPARTMENT OF STATE WISHES TO REITERATE THAT THE UNITED STATES GOVERNMENT BELIEVES THAT HARASSMENT AND ABUSE OF LOCAL EMPLOYEES OF ITS DIPLOMATIC REPRESENTATIVES OF THE KIND WHICH IT UNDERSTANDS HAS OCCURRED IN THE CASE OF MR. SOUSA UNDULY INTERFERES WITH THE PERFORMANCE OF THE FUNCTIONS OF UNITED STATES DIPLOMATIC REPRESENTATIVES WITHIN THE MEANING OF ARTICLE 38, PARAGRAPH 2 OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS, TO WHICH BOTH IRAQ AND THE UNITED STATES ARE PARTIES, WHICH STATES:

"OTHER MEMBERS OF THE STAFF OF THE MISSION AND PRIVATE SERVANTS WHO ARE NATIONALS OF OR PERMANENTLY RESIDENT IN THE RECEIVING STATE SHALL ENJOY PRIVILEGES AND IMMUNITIES ONLY TO THE EXTENT ADMITTED BY THE RECEIVING STATE. HOWEVER, THE RECEIVING STATE MUST EXERCISE ITS JURISDICTION OVER THOSE PERSONS IN SUCH A MANNER AS NOT TO INTERFERE UNDULY WITH THE PERFORMANCE OF THE FUNCTIONS OF THE MISSION."

ACCORDINGLY, THE DEPARTMENT OF STATE REITERATES ITS OBJECTION TO SUCH HARASSMENT, ABUSE, INTERROGATION OR DETENTION BY OFFICIALS OF THE GOVERNMENT OF IRAQ OF EMPLOYEES OF THE UNITED STATES INTERESTS SECTION IN BAGHDAD AND ASKS THAT THE IRAQI INTERESTS SECTION CONVEY TO THE GOVERNMENT OF IRAQ ITS REQUEST THAT THESE ACTIONS BE CEASED FORTHWITH. UNQUOTE

3. YOU ARE AUTHORIZED TO PRESENT COPY OF FOREGOING TO FOREIGN MINISTRY ALONG WITH APPROPRIATE ACCOMPANYING ORAL REMARKS. KISSINGER

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